

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHELLE J. KINNUCAN,

Plaintiff,

v.

NATIONAL SECURITY AGENCY;
CENTRAL INTELLIGENCE AGENCY;
DEFENSE INTELLIGENCE AGENCY;
DEPARTMENT OF DEFENSE,

Defendants.

Case No. 2:20-cv-01309-MJP

JOINT STATUS REPORT

STATUS REPORT

Pursuant to the parties' previously filed joint status report, Dkt. 78, the parties provide the following update and proposed briefing schedule. On June 24, 2024, the Ninth Circuit's mandate issued in this case. *See* Dkt. 79. On June 28, 2024, NSA released to Plaintiff a re-processed response to FOIA request 10637 and also made a discretionary release. NSA made an additional discretionary release on July 8, 2024. NSA's re-processed response continues to determine that the documents requested by Plaintiff, "volumes I and II of 'A Report to the Committee on Appropriations – U.S. House of Representatives on the Effectiveness of the Worldwide

Communications Systems and Networks of the DoD, U.S.S. Liberty Incident,” (HAC Report) are congressional records. This remains a disputed issue between the parties, and therefore the parties propose the following briefing schedule to resolve the issue of whether the HAC Report is a congressional record.

- NSA will file its motion for summary judgment by August 2, 2024.
- Plaintiff will file her opposition and counter motion by September 11, 2024.
- NSA will file its opposition and reply by September 25, 2024.
- Plaintiff will file her reply by October 2, 2024.

DATED this 9th day of July, 2024.

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I certify that this memorandum contains 192 words, in compliance with the Local Rules

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**pro hac vice*

Attorneys for Plaintiff Michelle J. Kinnucan

ORDER

IT IS SO ORDERED.

Dated this _____ day of _____, 2024.

MARSHA J. PECHMAN
United States District Judge